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FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5665
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY
RUEHBY/AMEMBASSY CANBERRA PRIORITY 0969
RUEHKO/AMEMBASSY TOKYO PRIORITY 0633
RUEHWL/AMEMBASSY WELLINGTON PRIORITY 1634
RUEKJCS/SECDEF WASHDC PRIORITY
RHHJJPI/USPACOM HONOLULU HI PRIORITY
RHMCSUU/FBI WASHINGTON DC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 002121

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DEPT FOR EAP, EAP/MTS, S/CT, DS/ICI/RFJ, DS/IP/EAP, DRL,
DS/DSS/ITA, DS/CC, DS/IP/SC
INR FOR CHARLIE ZENZIE, HEIDI PANETTA
DOJ FOR CTS THORNTON, AAG SWARTZ
DOJ FOR CRIM AAG BRUCE SWARTZ
DOJ/OPDAT FOR LEHMANN/ALEXANDRE/ BERMAN, DOJ/CTS FOR
MULLANEY, ST.HILAIRE
FBI FOR ITOSI/ SSA SOLOMON

E.O. 12958: DECL: 08/05/2017

TAGS:

SUBJECT: JI CO-FOUNDER SUES INDONESIA'S KEY ANTI-TERROR UNIT

REF: JAKARTA 1993

Classified By: Joseph L. Novak, Counselor for Political Affairs, for reasons 1.4 (b) and (d).

Summary =====

1. (C) Abu Bakar Ba,asyir, co-founder of the terrorist group Jemaah Islamyah, has filed a lawsuit against the Indonesian National Police (INP) anti-terrorist strike-force, Special Detachment 88 (SD-88). The suit demands the disbanding of SD-88 on the grounds that the unit is anti-Muslim. The suit is part of a longer term effort by radical groups to stigmatize the security forces. Contacts believe the suit will fail. End Summary.

Ba'asyir's Case =====

2. (U) On July 19, the co-founder and spiritual leader of Jemaah Islamyah, Abu Bakar Ba,asyir, filed a class action lawsuit in the Southern District Court of Jakarta. (Note: Although Ba'asyir filed the lawsuit in Jakarta, he lives at the Islamic school he co-founded. The school is located near the town of Solo, Central Java. End Note.) The lawsuit demands that the Indonesian National Police (INP) anti-terrorist strike-force, Special Detachment 88 (SD-88), be disbanded with immediate effect.

3. (U) Ba,asyir,s suit specifically claims that SD-88 is the agent of foreign powers, specifically the U.S. and Australia, and targets only Muslims in its anti-terror raids. In presenting the case, Ba,asyir publicly stated: "The terror squad known as Detachment 88 must be disbanded because it damages the interests of Islam by arbitrarily arresting Muslims and labeling them as terrorists should not be allowed to receive funds from America, which is led by George Bush, who is known for his anti-Islam attitude." The lawsuit also claims that SD-88 uses torture to gain confessions from those people it arrests.

GOI Reaction =====

4. (U) The GOI has categorically denied the claims made in

the suit, commenting that the security forces only act with clear suspicion and that all appropriate cases are taken to court where defendants have access to legal counsel. The INP formally responded on July 25 by requesting that the judge dismiss the suit right away. The court is currently reviewing the case and is expected to render a decision shortly.

15. (C) Several contacts have told us that they consider Ba,asyir,s case to be nothing but a nuisance which the court will dismiss sooner rather than later. One contact noted, however, that through the process of legal discovery -- if the case reaches that point -- Ba,asyir and his lawyers may be able to pick up information regarding the operations of SD-88.

JI Aim: Discredit Security Forces

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16. (SBU) The lawsuit is the second recent attempt to sanction the INP and SD-88 (see reftel). A lawsuit in June brought by JI operative Abu Dujana alleged that his human rights were violated by SD-88 when he was shot in the leg during his arrest (he was armed and resisting the police at the time). The Dujana case was dismissed by the court in mid-July.

17. (C) The lawsuit is part of a longer term effort by radical groups in Indonesia to shift the public debate from the acts of extremists to the acts of the security forces. Specifically, the radicals want to discredit SD-88 due to its manifold anti-terror successes. The extremist effort includes frivolous lawsuits, public demonstrations in front of INP headquarters, the publication and distribution of

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anti-SD-88 pamphlets, and claims that many members of SD-88 are Chinese Christians. So far, this effort has not reaped any legal successes, nor gained much by way of public support.

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